

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ALEJANDRA OLIVARES,

Plaintiffs,

v.

CV No. 21-197 MV/CG

KILOLO KIJAKAZI,¹
Commissioner of the
Social Security Administration,

Defendant.

**ORDER ADOPTING CHIEF MAGISTRATE JUDGE'S
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION**

THIS MATTER is before the Court on the Chief Magistrate Judge's *Proposed Findings and Recommended Disposition* (the "PFRD"), (Doc. 13), filed September 30, 2021. In the PFRD, the Chief Magistrate Judge recommended that Defendant Commissioner Kilolo Kijakazi's *Motion Pursuant to Fed. R. Civ. P. 12(B)(1) to Dismiss Plaintiff's Complaint in Part and for an Extension of Time Within Which to Answer and File the Certified Administrative Record*, (Doc. 5), be granted. (Doc. 13 at 2). The Chief Magistrate Judge further recommended that the Commissioner be directed to file an answer and the certified administrative record by no later than November 15, 2021. *Id.* at 2-3. Finally, the Chief Magistrate Judge recommended that the Commissioner's *Motion for Leave to File Supplemental Brief*, (Doc. 11), be denied as moot. *Id.* at 3.

¹ Kilolo Kijakazi was appointed Acting Commissioner of the Social Security Administration on July 9, 2021.

The parties were notified that written objections to the PFRD were due within fourteen days. *Id.* No objections have been filed and the deadline has passed. The recommendations of the Chief Magistrate Judge are therefore adopted by this Court.

IT IS THEREFORE ORDERED that the Commissioner's *Motion Pursuant to Fed. R. Civ. P. 12(B)(1) to Dismiss Plaintiff's Complaint in Part and for an Extension of Time Within Which to Answer and File the Certified Administrative Record*, (Doc. 5), is **GRANTED**.

IT IS FURTHER ORDERED that Plaintiff is **GRANTED** an extension of time to serve the Summons and Complaint on Defendants Concord Auto Protect, Inc. and Alon Salman. Plaintiff shall serve the Summons and Complaint by no later than **October 31, 2021**.

IT IS SO ORDERED.



THE HONORABLE MARTHA VÁZQUEZ
UNITED STATES DISTRICT JUDGE